

FORM PTO-1390, U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  
(REV 12-2004)

ATTORNEY'S DOCKET NO.

540057.413USPC

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/519159

INTERNATIONAL APPLICATION NO.

PCT/CA03/000921

INTERNATIONAL FILING DATE

June 18, 2003

PRIORITY DATE CLAIMED

June 21, 2002

TITLE OF INVENTION

METHODS OF USING BENZOTHIOPHENONE DERIVATIVES TO TREAT CANCER OR INFLAMMATION

APPLICANT(S) FOR DO/EO/US


Zaihui ZHANG, Timothy S. DAYNARD and Gabriel Bela KALMAR

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

## Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☒ An Application Data Sheet under 37 CFR 1.76
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information:

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
<b>10/519159</b>		PCT/CA03/000921		540057.413USPC	
21. The following fees are submitted:					
<input checked="" type="checkbox"/> a) Basic national fee.....				\$300.00	
<input checked="" type="checkbox"/> b) Examination fee.....				\$200.00	
<input checked="" type="checkbox"/> c) Search fee .....				\$500.00	
<b>TOTAL OF ABOVE CALCULATIONS</b>				<b>= \$1000.00</b>	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)		RATE	
- 100 =	/50 =			X \$250.00	\$ .00
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).					\$130.00
Claims	Number Filed	Number Extra	Rate		
Total Claims	78 - 20 =	58	x \$ 50.00	\$2900.00	
Independent Claims	4 - 3 =	1	x \$ 200.00	\$200.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ 360.00	\$360.00
<b>TOTAL OF ABOVE CALCULATIONS</b>				<b>=</b>	<b>\$4590.00</b>
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.					\$ .00
<b>SUBTOTAL</b>				<b>=</b>	<b>\$4590.00</b>
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).					\$ .00
<b>TOTAL NATIONAL FEE</b>				<b>=</b>	<b>\$4590.00</b>
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property					\$ .00
<b>TOTAL FEES ENCLOSED</b>				<b>=</b>	<b>\$4590.00</b>
					Amount to be refunded:
					Amount to be Charged:
<p>a. <input checked="" type="checkbox"/> A check in the amount of <b>\$4590.00</b> to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. <b>19-1090</b> in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <b>19-1090</b>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING: Information on this form may become public. Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.</p>					
<p><b>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</b></p>					
SEND ALL CORRESPONDENCE TO:					
Carol J. Roth Seed Intellectual Property Law Group PLLC 701 5 <sup>th</sup> Avenue, Suite 6300 Seattle, WA 98104-7092 United States of America (206) 622-4900			<div style="text-align: center;">           SIGNATURE       </div> <div style="text-align: center;">         Carol J. Roth          NAME       </div> <div style="text-align: center;">         32,783          REGISTRATION NUMBER       </div>		

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